
United States District Court
NORTHERN DISTRICT OF NEW YORK

XU-SHEN ZHOU, a/k/a JASON ZHOU,

Plaintiff,

-against-

STATE UNIVERSITY OF NEW YORK INSTITUTE
OF TECHNOLOGY, DRS. LISA BERNARDINO,
STEPHEN HAVLOVIC, WILLIAM LANGDON AND
PETER SPINA, personally and in their official
capacities,

Defendants.

BILL OF COSTS

Civil Action No. 6:08-cv-444
(GTS) (ATB)

Judgment having been entered in the above-entitled action on September 14, 2011 against plaintiff XU-SHEN ZHOU, a/k/a JASON ZHOU, the Clerk is requested to tax the following as costs:

Fees of the Clerk

Fees for service of summons and subpoena

Fees of the court reporter for all or any part of the transcript necessarily obtained for use
in the case

Fees and disbursements for printing

Fees for witnesses (itemize on reverse side)

Fees for exemplification and copies of papers necessarily obtained for use in the case

Docket fees under 28 U.S.C. § 1923

Costs as shown on Mandate of Court of Appeals

Compensation of court-appointed experts

Compensation of interpreters and costs of special interpretation services under 28 U.S.C.
§ 1828

Other costs (please itemize):	Deposition of plaintiff Gabriel Hoyle (see below)	\$1,239.40
	TOTAL	<u>\$1,239.40</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in the defense of this action, and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to plaintiff's attorney, Ross P. Andrews, at the address listed on the attachment to this bill.

Signature of Attorney: / *Douglas J. Goglia*

Name of Attorney: Douglas J. Goglia, Bar Roll No. 302406

For: Office of the Attorney General, The Capitol, Albany, New York 12224

Date: September 15, 2011

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
		Total		Total		Total	
	Days	Cost	Days	Cost	Miles	Cost	
					TOTAL		

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

“Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court.”

Rule 6 (e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

“Entry of the judgment shall not be delayed for the taxing of costs.”

Itemization of Expenses

Zhou v. SUNYIT, et al., 6:08-cv-444

Other Expenses:

Depositions (used for motion or trial; filed in court; receipts or invoices attached):

<u>Deponent</u>	<u>Date(s)</u>	<u>Amount</u>
XU-SHEN ZHOU, a/k/a JASON ZHOU	May 28, 2010	\$1,239.40

Service

As noted in the attached bill of costs, a copy of the bill was mailed to:

Ross P. Andrews, Esq.
Satter, Andrews Law Firm
217 South Salina Street
6th Floor
Syracuse, NY 13202
Attorney for Plaintiff

AMF Reporting Services

P. O. Box 310

Guilderland, New York 12084-0310

518-452-1795 or 482-9606

amfcourt@nycap.rr.com

Bill To:

Office of the Attttorney General
 Budget & Fiscal Management Bureau
 Attn: Payments Team
 State Capitol
 Albany, NY 12224-0341

InvoiceNumber: **2479TK**Date: **June 21, 2010**

REPORTER	DATE OF DELIVERY	METHOD OF DELIVERY
Theresa Klos	6/18/10	E-mail/priority mail

DATE and SERVICE	DESCRIPTION OF SERVICE	PAGES	RATE	AMOUNT
5/28/10 Deposition	Full-size orig, copy and condensed copy with word indexes mailed to AAG Douglas Goglia on 6/18 via priority mail. Testimony of Xu-Shen Zhou.	196.00	4.40	862.40
5/28/10 Word indexe	Word index (\$1/pp - two copies) CONTRACT # C101386 Zhou vs State Univ of NY, et al.	25.00	2.00	50.00
5/28/10	Exhibits	148.00	0.25	37.00
5/28/10	Realtime charge (only afternoon session)	80.00	1.00	80.00
5/28/10	Unedited file charge	210.00	1.00	210.00
TOTAL				1,239.40 \$1,239.40

PLEASE MAKE CHECK PAYABLE TO
AMF REPORTING/CRITCHER VIDEO
TAX ID#: 14-1828631(Frank-Critch, Inc.)

Note: Payment is due within 30 days of invoice date.
 Interest of 1.5% per month will be assessed on any unpaid balance.

AMOUNT PAID: 1,239.40
 AMOUNT DUE: 0.00